

REMARKS

Claims 2-5 and 7 have been amended. Claim 1 has been canceled. No new claims have been added. Claims 2-7 are pending.

Allowable Subject Matter

The Examiner is thanked for noting the allowable subject matter in claims 2-6. Specifically, the Examiner noted that the prior art does not disclose or render obvious “a difference determining unit that determines whether a predetermined threshold is exceeded by a difference of intensity of the demodulated signal having a predetermined time difference to detect noise, wherein the attenuation rate setting unit sets a first attenuation rate for the attenuating unit based on the detection of noise by the difference determining unit, and after a predetermined period has elapsed from the setting, sets a second attenuation rate smaller than the first attenuation rate for the attenuating unit” as specified in claim 2.

In addition, the Examiner noted that the prior art does not disclose or render obvious “a noise detecting unit that outputs a noise detection signal based on the second signal and the third signal; and an output controlling unit that inputs the output of the attenuating unit and the demodulated signal to add and output while setting amplification rates of the output of the attenuating unit and the demodulated signal based on the noise detection signal” as specified in claim 5.

Specification

The Examiner objected to the title stating that the title was not descriptive. The applicant has amended the title to, “Signal Processing Circuit Comprising an Attenuating Unit, a Detecting Unit, and an Attenuation Rate Setting Unit”. As such, it is respectfully requested that the objection be withdrawn.

Claim Rejections - 35 USC § 112

The Examiner rejected claims 1-7 under 35 USC § 112, second paragraph as indefinite. This rejection is respectfully traversed.

The Examiner stated that the recitation in claim 1 of,

“the attenuation rate setting unit sets the attenuation rate of the attenuating unit depending on: at least one signal of a second signal indicating a change in an envelope curve acquired based on an intermediate frequency signal of the received signal and a third signal indicating electric field intensity acquired based on the intermediate frequency signal; and the first signal”

is indefinite because it is unclear whether the recitation referred to the “the first signal, or the second signal, or the third signal” or if it referred to the “the first signal, and one of the second signal and the third signal.”

Claim 1 has been canceled and therefore the 112 rejection is moot with respect to claim 1. However, the above limitation has been amended and included in claim 2 and the limitation has been amended to recite, “an attenuation rate setting unit that sets an attenuation rate of the attenuating unit, depending on the first signal and a second signal indicating a change in an envelope curve acquired based on an intermediate frequency signal of the received signal, or depending on the first signal, the second signal, and a third signal indicating electric field intensity acquired based on the intermediate frequency signal”. As such, it is respectfully requested that the 112 rejection be withdrawn with respect to claim 2.

The Examiner also stated that the recitation in claim 2 of, “a difference of intensity of the demodulated signal having a predetermined time difference to detect noise” renders the claim indefinite. The limitation has been amended to “a difference between the demodulated signal and a signal obtained by smoothing the demodulated signal, to detect noise”. As such, it is respectfully requested that the 112 rejection be withdrawn with respect to claim 2.

Finally, the Examiner stated that the recitation in claim 5 of “to add and output” renders the claim indefinite. The limitation has been amended to “an output controlling unit that inputs

the output of the attenuating unit and the demodulated signal, and sets amplification rates of the output of the attenuating unit and the demodulated signal based on the noise detection signal, to add and output the output of the attenuating unit and the demodulated signal amplified with the set amplification rates". As such, it is respectfully requested that the 112 rejection be withdrawn with respect to claim 5.

Further, it is requested that the 112 rejection be withdrawn with respect to claims 3,4 and 6 and 7 by virtue of their dependency on claim 2.

Claim Rejections - 35 USC § 102

The Examiner rejected claims 1 and 7 under 35 USC § 102(b) as anticipated by Ishikawa (USP 4864637). Claim 1 has been canceled and therefore the 102(b) rejection with respect to claim 1 is moot. Claim 7 has been amended to depend on claim 2 which includes allowable subject matter. As such, claim 7 is patentable over Ishikawa by virtue of its dependency on claim 2. Accordingly, it is requested that the 102(b) rejection be withdrawn.

Disclaimers Relating to Claim Interpretation and Prosecution History Estoppel

Claims 2-5 and 7 have been amended, and claim 1 has been canceled, notwithstanding the belief that these claims were allowable. Except as specifically admitted below, no claim elements have been narrowed. Rather, cosmetic amendments have been made to the claims and to broaden them in view of the cited art. Claims 2-5 and 7 have been amended solely for the purpose of expediting the patent application process, and the amendments were not necessary for patentability.

Any reference herein to "the invention" is intended to refer to the specific claim or claims being addressed herein. The claims of this application are intended to stand on their own and are not to be read in light of the prosecution history of any related or unrelated patent or patent

application. Furthermore, no arguments in any prosecution history relate to any claim in this application, except for arguments specifically directed to the claim.

Conclusion

It is submitted, however, that the independent and dependent claims include other significant and substantial recitations which are not disclosed in the cited references. Thus, the claims are also patentable for additional reasons. However, for economy the additional grounds for patentability are not set forth here.

The Examiner's consideration of the references of record is appreciated. It is presumed that the Examiner has considered the entire disclosure of each of the references of record with respect to anticipation (individually) and obviousness (in any combination).

In view of all of the above, it is respectfully submitted that the present application is now in condition for allowance. Reconsideration and reexamination are respectfully requested and allowance at an early date is solicited.

The Examiner is invited to call the undersigned registered practitioner to answer any questions or to discuss steps necessary for placing the application in condition for allowance.

References to "Applicant" herein are to the assignee of record, which the undersigned represents. An assignment has been recorded, and a Statement of Ownership and General Power of Attorney have also been filed. Thus, the rights of the original Applicants/inventors have been excluded.

Appl. No. 10/599,240
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Response to Office action dated 9/23/2008

SoCal IP
Law Group LLP

With respect to this filing, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 503456. Please consider this paper to be a petition for extension of time, if necessary.

Respectfully submitted,



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